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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,888	03/06/2002	Dennis A. Borugian	16-121	9177

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EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/091,888

Applicant(s)

BORUGIAN, DENNIS A.

Examiner

Brian J. Broadhead

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-23 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 5, 7, 9, 10, 11, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Maggiora et al., 5969433.

3. As per claims 1, 9, and 24, Maggiora et al. discloses defining a planned trailer uncoupling area on line 63, on column 5; determining that the trailer has been uncoupled outside said planned uncoupling area on lines 60-56, on column 5, and lines 55-59, on column 7; and determining a location of the vehicle with GPS on lines 35-40, on column 2.

1. As per claims 3, 7, and 10, Maggiora et al. discloses periodically transmitting a location of at least one of a tractor and the trailer only when it is determined that one of said tractor and said trailer has moved on lines 35-41, on column 3; and automatically securing the trailer comprises applying the spring brakes on lines 47-50, on column 4.

2. As per claims 5 and 11, Maggiora et al. discloses automatically locking doors of said trailer on lines 44-45, on column 4.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3661

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maggiora et al., 5969433, in view of Keillor et al., 5917433.

5. Maggiora et al. discloses the limitations as set forth above. Maggiora et al. does not disclose activating a trailer battery backup. Keillor et al. teaches of activating a trailer battery backup on lines 10-25, on column 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the battery of Keillor et al. in the invention of Maggiora et al. because such modification would ensure continued operation after untethering of the trailer as stated on lines 15-20, on column 3, of Keillor et al.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maggiora et al., 5969433, in view of Kelly, 5625335.

7. Maggiora et al. discloses the limitations as set forth above. Maggiora et al. does not disclose automatically locking a fifth wheel of the vehicle. Kelly teaches of automatically locking the fifth wheel of the vehicle on lines 45-60, on column 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the lock of Kelly in the invention of Maggiora et al. because such modification would ensure the locking of the trailer to the towing vehicle.

8. Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggiora et al., 5969433, in view of Fauci et al., 5942971.

9. Maggiore et al. discloses the limitations as set forth above. Maggiore et al. does not disclose automatically deflating a tire of the vehicle. Fauci et al. teach of automatically deflating a tire of the vehicle on lines 58-67, on column 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the deflation system of Fauci et al. in the invention of Maggiore et al. because such modification would provide an anti-theft tire disabling system as stated on lines 59-61, on column 1, of Fauci et al.

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maggiore et al., 5969433, in view of Camhi, 5825283.

11. Maggiore et al. discloses the limitations as set forth above. Maggiore et al. does not disclose taking a picture of the driver and transmitting the picture to a central control. Camhi teaches taking a picture of the driver on lines 1-5, on column 24; and transmitting the picture to a central control on line 65, on column 24, through line 5, on column 25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the camera and transmitting of Camhi in the invention of Maggiore et al. because such modification may then be used to identify criminals as stated on lines 5-7, on column 24, of Camhi.

### ***Response to Arguments***

12. Applicant's arguments filed 12-04-03 have been fully considered but they are not persuasive. Maggiori et al. disclose uncoupling outside of a planned area on lines 55-59, on column 7. There is an operator monitoring the truck and receives messages when certain events, such as a trailer uncoupling, occur. If an event is not scheduled

the operator takes action. In response to these messages the operator will disable the vehicle to prevent theft.

***Allowable Subject Matter***

13. Claims 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 are allowed.

14. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose a computer being programmed to determine that the trailer has been uncoupled outside said planned uncoupling area. The prior art discloses a central operator that monitors the vehicle and determines if the trailer is uncoupled outside the planned area, there is no mention of a fully automated system.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Application/Control Number: 10/091,888  
Art Unit: 3661

Page 6

BJB  
March 29, 2004



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